



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street, 3rd floor  
New York, New York 10007*

January 12, 2022

**By ECF**

Hon. Lorna G. Schofield  
United States District Judge  
Southern District of New York  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *New York Times Co. et al. v. United States Central Command,*  
No. 21 Civ. 8297

Dear Judge Schofield:

Defendant the United States Central Command (“CENTCOM”) writes respectfully, and with the consent of plaintiffs, to request a further extension, to January 18, 2022, of the deadline for CENTCOM to make a final determination with regard to plaintiffs’ request under the Freedom of Information Act (“FOIA”) for release of certain aerial footage of a strike in Afghanistan on August 29, 2021. Under the parties’ proposed schedule, which the Court endorsed on December 3, 2021 (ECF No. 11), CENTCOM was to make a final determination and release any part of the footage deemed disclosable by January 6, 2022. By letter dated January 6, and with plaintiffs’ consent, CENTCOM requested an extension of the deadline until today. CENTCOM now requests an additional three business days, until January 18, to make its final determination.

As explained in our January 6 letter, the requested footage is currently classified in full, and CENTCOM has been engaged in high-level consultations regarding whether any portions can be declassified and publicly released. CENTCOM has nearly completed those consultations, but respectfully requests additional time to allow the Office of Secretary of Defense (“OSD”) to review and approve CENTCOM’s determination. The remaining deadlines would remain the same. Specifically, by January 20, the parties will meet and confer as to whether cross-motions for summary judgment will be necessary, and by January 21, the parties will provide a status report to the Court and propose a summary judgment briefing schedule if needed.

Plaintiffs graciously consent to this additional requested extension of time.

We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS  
United State Attorney for the  
Southern District of New York

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